S.B. Civil Misc. Appeal No.1759/2006

Kalu Khan and another.
vs.
Rafique and another.

Date : 1.12.2006

HON'BLE MR. PRAKASH TATIA, J.

Mr. AK Acharya, for the appellants.

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This appeal is preferred against the order passed by the court below in the proceedings arising out of Order 39 Rules 1 and 2 CPC. The appeal is not maintainable, therefore, learned counsel for the appellant seeks permission withdraw the present appeal so as to prefer proper petition to challenge the impugned orders.

Permission is granted.

Accordingly, this appeal is hereby dismissed as withdrawn with the liberty as aforesaid.

(PRAKASH TATIA), J.

S.Phophaliya